

USDC SDNY *SAMP, S*  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 10-30-07

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MASON TENDERS DISTRICT  
COUNCIL WELFARE FUND, PENSION  
FUND, ANNUITY FUND, and  
TRAINING PROGRAM FUND, and JOHN  
J. VIRGA, in his capacity as Director,

Plaintiffs,

-against-

HORIZON GROUP OF NEW ENGLAND,  
INC., and TRAVELERS CASUALTY  
AND SURETY COMPANY OF  
AMERICA,

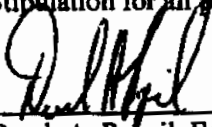
Defendants.

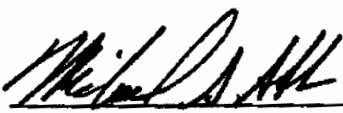
Index No.: 07-cv-3770 (LBS)

*ag/r*

**STIPULATION OF  
DISCONTINUANCE WITH  
PREJUDICE**

PLEASE TAKE NOTICE that the above entitled action be, and the same is hereby discontinued, with prejudice and without costs to any party as against the others. This stipulation may be filed with the Clerk of the Court without further notice. This stipulation may be faxed and signed in counterparts and, if so faxed and signed, shall constitute an originally signed Stipulation for all purposes.

  
Derek A. Popeil, Esq. Date 10/27/07  
Dreifuss Bonacci & Parker, LLP  
26 Columbia Turnpike  
Florham Park, New Jersey 07932  
Attorneys for Travelers Casualty and  
Surety Company of America

  
Michael S. Adler, Esq. Date 10/26/07  
Gorlick, Kravitz & Lishaus, P.C.,  
17 State Street, 4<sup>th</sup> Floor  
New York, New York 10004  
Attorneys for Plaintiff

**SO ORDERED:**

  
U.S.D.J.  
10/29/07